



**Department of Justice**  
**Joseph R. Biden III**  
**Attorney General**

**Contact: Jason Miller**  
**Work: (302) 577-8949**  
**Cell: (302) 893-8939**

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**Delaware House of**  
**Representatives**  
**House Majority Caucus**

**Contact: Drew Volturo**  
**Work: (302) 744-4001**  
**Cell: (302) 593-5969**

**LAWMAKERS, ATTORNEY GENERAL, GOVERNOR PUSH**  
**LEGISLATION TO STRENGTHEN PROTECTION ORDERS**

*Protection from abuse orders would be extended under House Bill 336*

DOVER – With Delaware Attorney General Joseph R. “Beau” Biden III and Governor Jack A. Markell showing their support, Rep. Michael A. Barbieri and other lawmakers unveiled legislation that would strengthen protection from abuse orders (PFAs) by extending PFA “no contact” provisions and setting circumstances under which these provisions can be extended for life.

House Bill 336 would allow the Family Court to extend the “no contact” provisions of a PFA from its current one-year limit to two years in every case. In cases where aggravating circumstances exist, the bill would give the court discretion to order no contact for as long as deemed necessary.

“Women who have suffered domestic violence have already lived through a nightmare,” Attorney General Biden said. “Requiring them to reapply for legal protection is an unnecessary hardship. This legislation lifts a heavy burden off of their shoulders so they can move on with their lives.”

Rep. Barbieri, D-Newark, noted that there are no permanent restraining orders in Delaware. The legislation, he said, would add that option for cases in which Family Court determines there is a need for such an order.

“One of government’s most important functions is to protect our vulnerable citizens. People who suffer from abuse often struggle with esteem issues and find themselves trapped in an untenable

situation,” Rep. Barbieri said. “The current system puts the burden of requesting an extension on the person who is struggling, and that only aggravates the situation.

“This legislation will allow our courts to determine if a more long-term order is warranted, which removes the stress from the person seeking the protective order. We will be better able to protect our most vulnerable citizens while making the system less cumbersome.”

Under current law, PFAs may be granted for up to one year. After that initial period, the victim may petition the court for a six-month extension. After the extension expires, the victim must apply for a new PFA and show that they have suffered additional harm. House Bill 336 would change current law in two important ways:

- 1) It would extend the initial maximum duration of most PFAs from one year to two years;
- 2) In cases where abuse is most egregious, including where a deadly weapon is used, prior protective orders continue to be violated, and/or the court believes there is ongoing and immediate danger, it would allow the no-contact provision of PFAs to remain effective throughout the victim’s lifetime.

“No one should need to live in fear,” Governor Markell said. “We want anyone who labors under the threat of violence to be able to get the protective order they need, for as long as it needs to be in place. This policy is designed to provide at least a small measure of comfort to those at risk and additional peace of mind to those in desperate need of it.”

Eileen Williams, coordinator of the Kent County Domestic Violence Advocacy Program, works directly with abuse victims and said that the legislation would go a long way toward alleviating pressure and problems victims face after the court process ends.

“I have seen cases where an abuser begins harassment the day after a PFA expires,” Ms. Williams said. “I have seen other instances where the abuse continues for seven years. Fortunately, these cases are few, but even one case is too many when you consider what these victims go through. This legislation is beneficial so that a victim doesn’t have to come back to court hoping that the court will approve a new PFA.”

House Bill 336 is co-sponsored by Senate Majority Leader Sen. Patricia M. Blevins, D-Elsmere, Rep. Deborah D. Hudson, R-Fairthorne, and Senate Minority Whip Sen. Liane M. Sorenson, R-Hockessin.

“Expanding the Family Court’s ability to protect victims of domestic violence by extending protection orders is an important step toward helping those victims rebuild their lives,” said Sen. Blevins, the bill’s chief Senate sponsor. “We need laws like this to send a strong message that we’ll do everything we can to protect victims of domestic violence from further abuse.”

HB 336 was drafted by the Domestic Violence Coordinating Council. It has been assigned to the House Judiciary Committee.

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